



Atty. Dkt. No. 028622-0125

AF
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Horst HEIRLER

Title: *USE OF DIETETIC FOOD STUFF FOR SPECIAL MEDICAL USES
CONTAINING MEDIUM-CHAIN TRIGLYCERIDES (MCT) AND AS TO
NUTRITION PHYSIOLOGY AN OPTIMIZED COMBINATION OF FATTY
ACIDS FOR THE SUPPLEMENTARY AND BALANCED TREATMENT
OF SINGLE ASPECTS OF THE METABOLIC SYNDROME OF
PATIENTS WITH DIABETES MELLITUS (AS AMENDED)*

Appl. No.: 10/717,990

Filing Date: 11/21/2003

Examiner: Leslie A. Royds

Art Unit: 1614

AMENDMENT AND REPLY UNDER 37 CFR 1.116

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated July 27, 2006, concerning the above-referenced patent application.

Amendments to the Specification begin on page 2 of this document.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this document.

Remarks begin on page 6 of this document.

Please amend the application as follows.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Horst HEIRLER

Title: USE OF DIETETIC FOOD STUFF FOR SPECIAL MEDICAL
USES CONTAINING MEDIUM-CHAIN TRIGLYCERIDES
(MCT) AND AS TO NUTRITION PHYSIOLOGY AN
OPTIMIZED COMBINATION OF FATTY ACIDS FOR THE
SUPPLEMENTARY AND BALANCED TREATMENT OF
SINGLE ASPECTS OF THE METABOLIC SYNDROME OF
PATIENTS WITH DIABETES MELLITUS (AS AMENDED)

Appl. No.: 10/717,990

Filing Date: November 21, 2003

Examiner: Leslie A. Royds

Art Unit: 1614

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[X] The fee required for additional claims is calculated below:

| | Claims As Amended | | Previously Paid For | | Extra Claims Present | | Rate | | Additional Claims Fee |
|--|-------------------------|---|------------------------|---|----------------------------|---|----------|---|--------------------------|
| Total Claims: | 17 | - | 19 | = | 0 | x | \$50.00 | = | \$0.00 |
| Independent Claims: | 1 | - | 1 | = | 0 | x | \$200.00 | = | \$0.00 |
| First presentation of any Multiple Dependent Claims: | | | | | | + | \$360.00 | = | \$0.00 |
| CLAIMS FEE TOTAL | | | | | | | | = | \$0.00 |

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date October 27, 2006

By Richard C. Peet

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5483
Facsimile: (202) 672-5399

Richard C. Peet
Attorney for Applicant
Registration No. 35,792